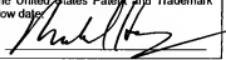


CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: November 9, 2010

Name: Michael E. Hussey

Signature: 

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appn. of: Kenji Ishii et al.

Appn. No.: 10/772,223

Filed: February 3, 2004

For: APPARATUS AND A METHOD FOR
OPTIMIZING NETWORK RESOURCES
EMPLOYED IN DATA COMMUNICATION

Attorney Docket No.: 9683/165

Examiner: Alicia Baturay

Art Unit: 2441

Conf. No.: 2202

TRANSMITTAL

MAIL STOP AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is/are:

Transmittal (1 pg); Summary of Interview and Reply to Final Office Action Dated September 9, 2010 (10 pgs).

Fee calculation:

No additional fee is required.

Small Entity.

An extension fee in an amount of \$____ for a ____-month extension of time under 37 CFR § 1.136(a).

A petition or processing fee in an amount of \$____ under 37 CFR § 1.17(____).

An additional filing fee has been calculated as shown below:

| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Small Entity | | Not a Small Entity | | |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|--------------------|------|-----------|
| | | | | | Rate | Add'l Fee | OR | Rate | Add'l Fee |
| Total | 10 | Minus | 10 | 0 | x \$26= | | x \$52= | | |
| Indep. | 1 | Minus | 1 | 0 | x 110= | | x \$220= | | |
| First Presentation of Multiple Dep. Claim | | | | | +\$195= | | +\$390= | | |
| | | | | | Total | \$ | Total | \$ | |

Fee payment:

Please charge Deposit Account No. 23-1925 in the amount of \$____ for ____.

Payment by credit card in the amount of \$____ (Form PTO-2038 is attached).

The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Michael E. Hussey (Reg. No. 63,265)

November 9, 2010

Date